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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/781,253	02/18/2004	Raymond V. Brandes		3152

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EXAMINER

STERLING, AMY JO

ART UNIT PAPER NUMBER

3632

DATE MAILED: 02/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/781,253

Applicant(s)

BRANDES, RAYMOND V.

Examiner

Amy J. Sterling

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 February 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 5-8 is/are rejected.
- 7) ☒ Claim(s) 4 and 9-20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2/18/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This is the first Office Action for application number 10/781,253 Quick-Adjusting Mounting Head, filed on 2/18/04. Claims 1-20 are pending.

Information Disclosure Statement

The information disclosure statement submitted on 2/15/04 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement has been considered by the examiner.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3 and 5-8 are rejected under 35 U.S.C. 102(b) as being anticipated by United States Patent No. 4431329 to Baitella.

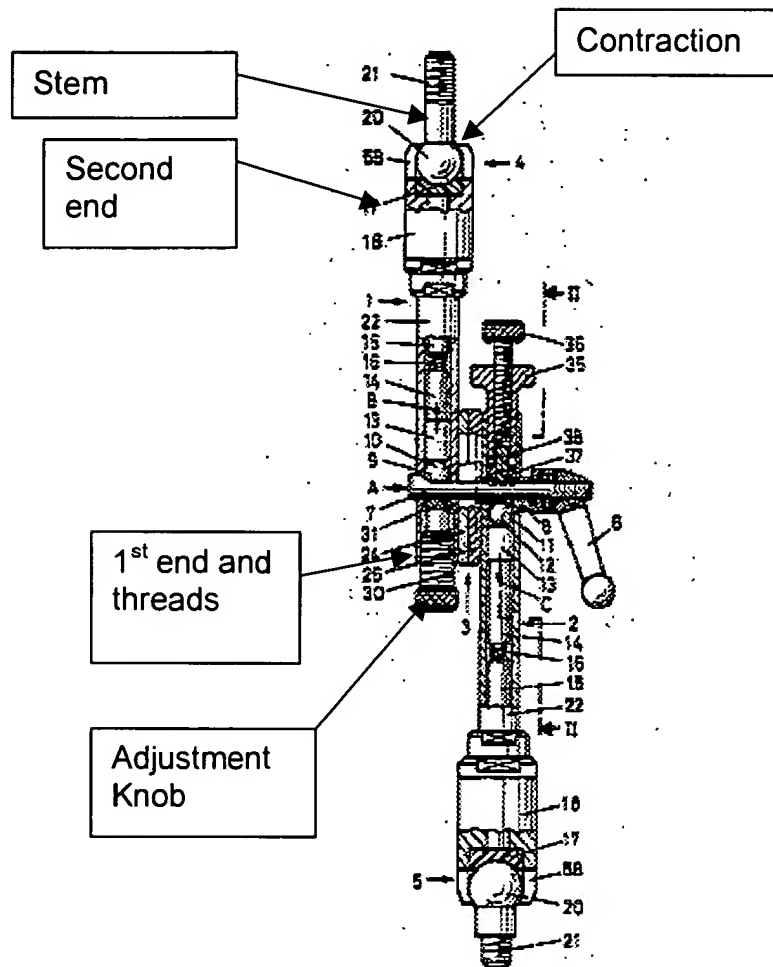
The patent to Baitella discloses a mounting head allowing a user to adjustably mount an object to a rod, having a cylindrical body (1, 4), including a hollow interior, a first end, a second end, a long axis, a rod opening (near 7) passing completely through the cylindrical body in a direction which is approximately transverse to the long axis;

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a threaded receiver proximate the first end, a contraction (See Drawing Below) proximate the second end, an opening proximate the second end, a ball (20), located within the hollow interior of the cylinder, proximate the contraction wherein the ball has a stem (See Drawing Below) extending out the opening, a ball clamp (13, 14, 15, 17) located within the hollow interior of the cylinder, proximate the contraction, an object mounting means (threaded portion of 21) attached to the stem for mounting the object to the stem, and an adjustment knob (See Drawing Below), having a threaded portion (30) sized to engage the threaded receiver in the cylindrical body, so that if the user places the rod through the rod opening and between the ball clamp and the threaded portion, and then threads the threaded portion of the adjustment knob into the threaded receiver, the contraction will be drawn against the ball, thereby locking the ball in place, and the rod will be clamped between the ball clamp and the threaded portion thereby clamping the mounting head to the rod. Baitella also discloses a bar clamp (31) in the hollow interior of the cylinder between the ball clamp and the threaded portion of the adjustment knob, so that if the user places the rod through the rod opening and between the ball clamp and the bar clamp, and then threads the threaded portion of the adjustment knob into the threaded receiver, the contraction to be drawn against the ball, thereby locking the ball in place, and the rod will be clamped between the ball clamp and the bar clamp, thereby clamping the mounting head to the rod. Baitella also shows a washer (24) located between the bar clamp and the threaded portion of the adjustment knob and the ball clamp (13, 14, 15, 17) has a first end that opens into a ball receiver shaped to receive a ball and a second end which opens into a rod receiver

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shape to receive a rod and the bar clamp (31) has a first and a second end, the first end of the bar clamp (31) opens into a rod receiver shaped to receive a rod, wherein the ball clamp and the bar clamp includes a flat on the end.



Allowable Subject Matter

Claims 4 and 9-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The reason is that the prior art does not teach wherein the mounting plate has a first vee lock interface, a through hole and a separate threaded hole and wherein the stem on the ball has a second vee lock interface shaped to lock into the first vee lock interface on the mounting plate and a mounting screw passing through the ball, through the hole on the mounting plate and into the object and a dog screw pass through the separate threaded hole into the object. The prior art also does not disclose wherein the washer is a Belleville washer or wherein the cylindrical body includes an access notch or a wrench access hole at the second end of the body.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following documents show various adjustable stands

6379073 to Yoo et al.

5020933 to Salvestro et al.

4974802 to Hendren

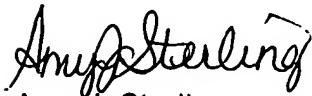
4606522 to Heifetz

2752116 to Minnis

2775423 to Strass

Any inquiry concerning this communication should be directed to Amy J. Sterling at telephone number 703-308-3271. The examiner can normally be reached (M-F 8 a.m.-5:00 p.m.). If attempts to reach the examiner are unsuccessful, the examiner's supervisor, Leslie Braun can be reached at 703-308-2156. The fax machine number for the Technology center is 703-872-9306 (formal amendments) or 703-308-3519 (informal amendments/communications).

Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center receptionist at 703-308-2168.


Amy J. Sterling
2/20/05